



DA Cmw

IN THE UNITED STATES DESIGNATED OFFICE (DO/US)

In Re the Application of:

LOWTHER

Serial No.: 10/613,777

Filing Date: July 2, 2003

Atty. File No.: 7066-1-CIP3-CON

For: "DEVICE AND METHOD FOR
TRANSFERRING FORCE TO A
TARGETED OBJECT"

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A Notice of Abandonment was received in connection with the above application, dated June 3, 2005. The Notice of Abandonment was sent in response to the alleged failure to timely file a proper reply to the Office Action mailed on September 29, 2004.

On October 19, 2004, Applicant by telephone message with the Examiner requested cancellation of apparatus claims 18-24, leaving the method claims in the application and requested withdrawal of the restriction requirement. On October 21, 2004, the Applicant's attorney had a telephone conversation with the Examiner to confirm the earlier instructions left in the message of October 19, 2004. It was Applicant's understanding after the telephone conversation with the Examiner that he would acknowledge election without traverse of the method claims, withdraw the apparatus claims, and issue a first Office Action. Therefore, the Notice of abandonment should be withdrawn.

)
) LETTER TO EXAMINER RE: NOTICE OF
) ABANDONMENT AND ALTERNATIVELY
) PETITION TO REVIVE
) UNINTENTIONALLY ABANDONED
) APPLICATION PURSUANT TO 37 C.F.R. §
) 1.137(b)

) CERTIFICATE OF MAILING

) I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
) BEING DEPOSITED WITH THE UNITED STATES POSTAL
) SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE
) ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O.
) BOX 1450, ALEXANDRIA, VA 22313-1450 ON 9/23/05

SHERIDAN ROSS P.C.

BY: Christine Jaquith

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1500.00 DA

In the alternative, this is a petition to revive the application wherein the application became unintentionally abandoned after March 29, 2005. The entire delay in replying to the Office letter was unintentional. Attached hereto is a Response to the Restriction Requirement, setting forth the same information set forth above.

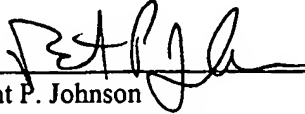
Enclosed herein is a check in the amount of \$130.00 for this Petition. If any further fees are due, please consider this petition authorization to debit such fees to Deposit Account No. 19-1970.

We very much appreciate your consideration of this Petition. If further information is required in order to restore the application to pending status, please contact the undersigned attorney.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: _____


Brent P. Johnson
Registration No. 38,031
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: _____

9/23/05